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Economic and Social Council

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Committee on Economic, Social and Cultural Rights

List of issues in relation to the second periodic report of Greece*

I. General information

1. Please provide information on the legal status of the Covenant in the State party and whether its provisions are justiciable and have been invoked before the courts.

II. Issues relating to general provisions of the Covenant (arts. 1–5)

Article 2, paragraph 1– Maximum available resources

2. Please provide an assessment of the impact of the austerity programme and the subsequent economic and financial crisis on the enjoyment of economic, social and cultural rights, including a summary assessment of possible retrogressive policies and measures, as well as the principles on which such policies and measures were based.

Article 2, paragraph 2 – Non-discrimination

3. Please indicate whether the anti-discrimination legislation covers all the prohibited grounds of discrimination set out in article 2, paragraph 2, of the Covenant. Please also indicate whether Law 3304/2005 on the "Implementation of the principle of equal treatment regardless of racial or ethnic origin, religious or other beliefs, disability, age or sexual orientation" fully conforms with the Covenant.

4. Please provide information on measures taken to ensure compliance with the principle of non-discrimination with regard to ethnic and minority groups. Please also indicate whether there are plans for compiling statistics on the composition of the Greek population in order to identify the ethnic and minority groups present within the national territory with a view to monitoring the observance of the principle of non-discrimination

* Adopted by the pre-sessional working group at its fifty-fifth session (9–13 March 2015).

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and possible trends in discrimination against them, and in order to ensure that adequate steps are taken to counter such discrimination. Please provide information on the new Law 4310/2014, particularly with regard to the extra requirements imposed on persons belonging to Muslim minorities wishing to become teachers.

5. In the light of the Committee's previous recommendation (E/C.12/1/Add.97, paras. 15 and 36), please provide information on steps taken to prevent and combat discrimination against immigrants and other vulnerable groups, particularly the Roma, with regard to access to housing, employment and public health-care services.

6. Please provide information on measures taken to ensure that refugees and asylum seekers have access to economic, social and cultural rights. Please provide information on the impact on asylum seekers' right to marry of the requirement to present a certificate of celibacy issued by a relevant consular or other competent authority of the country of nationality of the alien.

Article 3 – Equal rights of men and women

7. Please provide information on steps taken to bridge the wage gap between men and women. Please also provide information on the impact of Law 3896/2010 on "Implementation of the principle of equal opportunities and equal treatment of men and women in work and employment issues". In the light of the Committee's previous recommendation (E/C.12/1/Add.97, para. 34), please provide information on measures taken, including temporary special measures, to increase the number of women in decision-making positions.

8. Please provide information on measures taken to combat the disproportionate impact of the economic crisis and austerity measures on women's right to work, in particular with regard to conditions of employment and remuneration.

III. Issues relating to the specific provisions of the Covenant (arts. 6–15)

Article 6 – The right to work

9. Please provide information on measures taken to combat the increase in long-term unemployment, especially among women and young people, as well as measures adopted to protect the economic, social and cultural rights of unemployed persons who no longer qualify for unemployment benefits.

Article 7 – The right to just and favourable conditions of work

10. The Committee notes the intention of the State party to raise the minimum wage, as declared by the Prime Minister on 8 February 2015, and requests information on measures taken to that effect with a view to ensuring a decent living for workers and their families, as called for in article 7. Please provide information on the reasons behind the disproportionate reduction in the salaries of young workers.

11. Please provide information on the recent amendments to the legislation regulating working hours. Please clarify if the maximum limit of 60 hours per week is still maintained for all categories of work. Please also provide annual statistical data for the reporting period

concerning labour inspections carried out in the area of safety at work and their results, including any findings of breaches.

12. Please provide detailed, updated information, including statistics disaggregated by age and sex, on domestic workers in the State party. Please also indicate whether domestic workers enjoy the same rights as other workers with regard to, for example, the maximum length of the working day, the days of rest, the minimum wage, access to social security, and protection from harassment and abuse.

13. Please explain the practice of replacing fixed-term employment contracts by part-time contracts and other flexible forms of employment with lower pay, and the impact of this on the enjoyment of economic, social and cultural rights.

Article 8 – Trade union rights

14. Please provide information on the legal framework concerning the right to collective bargaining. In particular, please clarify the impact of the recent legislation which may lead to limiting the right to collective bargaining (acts 3845/2010, 3863/2010, 3899/2010, 4024/2011, 4093/2012 and Ministerial Council Act 6/28.2.2012 implementing article 1(6) of Law 2046/2012).

Article 9 – The right to social security

15. Please provide information on the impact of the austerity measures on the enjoyment of social security rights. Please also explain whether the restructuring of the social security system would still provide beneficiaries with a decent living.

16. Please provide information on the categories and numbers of workers who are not yet covered by social security, and the reasons for their exclusion. Please include information on the measures taken to extend the benefits of social security to everyone, as required by the Covenant, including the most disadvantaged and marginalized individuals and groups.

17. Please provide information on the existence of non-contributory old-age benefits, social services and assistance for all older persons who have not completed the minimum qualifying period of contributions and who are not therefore entitled to a contributory old-age pension. Please also provide information on whether the national legislation has recently introduced a condition for non-contributory pensions for senior citizens which requires that applicants must have been residing permanently and legally in Greece for the past 20 years. Please also inform the Committee if such legal provision fully complies with the Covenant. Please indicate the measures taken to ensure that old-age pensions are sufficient to provide an adequate standard of living for their recipients.

Article 10 – Protection of the family, mothers and children

18. Please provide information regarding working women's enjoyment in practice of maternity leave, in particular in the private sector and in the informal economy. Does the legislation of the State party provide for paternity leave?

19. In the light of the previous recommendation of the Committee (E/C.12/1/Add.97, para. 39), please provide updated information on the cases of human trafficking for sexual exploitation and forced labour during the reporting period, including the number of cases brought before the courts and the outcome of court cases, remedies provided to victims and sanctions imposed against perpetrators.

20. Please provide information on the impact of the enforcement of Law 3500/2006 on reducing domestic violence.

Article 11 – The right to an adequate standard of living

21. Please provide data showing the impact of the economic and financial crisis on the levels of poverty in the country.

22. Please provide information about the measures adopted to facilitate access to adequate housing for the disadvantaged and marginalized groups within the population, including the Roma and migrants. Please provide information on forced evictions and how they disproportionately affect the Roma, and on measures taken to consult affected communities throughout all stages, ensure due-process guarantees and compensation and, in particular, provide for adequate alternative accommodation, as outlined in the Committee's general comments Nos. 4 (1991) on the right to adequate housing and 7 (1997) on forced evictions.

23. Please provide updated information on the extent of homelessness in the State party, including among the Roma population, taking into account the previous recommendation of the Committee (E/C.12/1/Add.97, para. 45).

Article 12 – The right to physical and mental health

24. Please provide information on the impact of the austerity measures on the health sector, in particular the cuts in staff and expenditure. Please also provide information, disaggregated by economic sector and geographical region, on the percentage of the population that benefits from health-care coverage.

25. Please explain how article 84 of Law 3386/2005, which prohibits the provision of medical care to undocumented migrants, except for undocumented minors and undocumented adults in cases of emergency, affects the enjoyment of the right to health.

26. Please provide information on measures taken to ensure basic sexual and reproductive-health services for all women, especially for pregnant women. Please also describe which steps have been taken to promote sexual and reproductive education as part of the educational curriculum targeted at adolescent girls and boys.

Articles 13 and 14 – The right to education

27. Please report on the impact of laws 3699 and 3299 on the special education of persons with disabilities and the steps taken to ensure inclusive education for children with disabilities.

28. Please provide information on measures taken to guarantee equal access to education for all vulnerable groups, including the Roma and Muslims. Please also provide information on measures taken to address the de facto segregation of Roma children in education and their overrepresentation in special education schools. Please also provide updated information on the impact of measures in the State party to address the non-attendance of Roma children and children from other minority groups in primary education, and on those children's access to secondary education.

29. Please report on the results achieved by the Educational Priority Zones.

Article 15 – Cultural rights

30. Please provide information on measures taken to guarantee the enjoyment of cultural rights to ethnic groups and migrants, including their participation in cultural life.

31. Please provide information on measures taken to ensure that austerity measures taken have no negative impact on the fields of science and culture.

32. Please indicate the measures taken by the State party to facilitate affordable access to the Internet for disadvantaged and marginalized individuals and groups.